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COMPTON CITY COUNCIL

AGENDA

07/05/2023

5:30 PM

CITY COUNCIL CHAMBERS

205 SOUTH WILLOWBROOK AVENUE

COMPTON, CALIFORNIA 90220

OPENING

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

CONSENT AGENDA

Consent items are routine and expected to be non-controversial. They will be acted upon by the Council at one time without discussion unless a Council Member requests an item be removed or discussed..

APPROVAL OF MINUTES

1. MARCH 28, 2023

REGULAR AGENDA

NEW BUSINESS

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A FUNDS TRANSFER AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF COMPTON
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD) TO PURCHASE IMPORTED WATER FOR FISCAL YEAR 2023-2024 FOR EIGHT HUNDRED THOUSAND DOLLARS (\$800,000)
4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA (WRD) FOR GROUNDWATER PRODUCTION ASSESSMENT FEES FOR FISCAL YEAR 2023-2024 FOR FIVE MILLION DOLLARS (\$5,000,000)

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: 7/11/2023 5:30:00 PM

Visit our website at <http://www.comptoncity.org>

MARCH 28, 2023

The Closed Session Compton City Council meeting was called to order at 4:30 p.m. by Mayor Emma Sharif in the Council Chambers of City Hall. The Moment of Silence Ceremony and the Pledge of Allegiance was also led by Mayor Sharif.

ROLL CALL

Council Members Present – D. Duhart, A. Spicer, J. Bowers, Mayor E. Sharif

Council Members Absent – L. Darden (*Joined the meeting during closed session*)

Other Officials Present: E. Perrodin, V. McDaniel, T. Thomas

CLOSED SESSION AGENDA ITEM

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Monica Turner, pursuant to Government Code Section 54956.9 and Willow Walk - 500 North Willowbrook Ave. Compton, Ca 90220, pursuant to Government Code Section 54956.9 Willow Walk 500 W. Willowbrook Avenue, 54956.9

AUDIENCE COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS ONLY

There were no audience comments relative to the closed session agenda item.

City Attorney Eric Perrodin requested a closed session to discuss a conference with legal counsel regarding anticipated litigation in the cases of Monica Turner, pursuant to Government Code Section 54956.9 and Willow Walk - 500 North Willowbrook Ave. Compton, California 90220, pursuant to Government Code Section 54956.9

On motion by Duhart, seconded by Spicer, the closed session was approved by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Bowers, Sharif

NOES: Council Members – None

ABSENT: Council Members – Darden

RECESS TO CLOSED SESSION

On motion by Duhart, seconded by Spicer, the City Council recessed to closed session at 4:35 p.m. by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Bowers, Sharif

NOES: Council Members – None

ABSENT: Council Members – Darden

RECONVENE TO OPEN SESSION

On motion by Duhart, seconded by Spicer, the City Council reconvened at 5:36 p.m. by the following roll call vote:

ROLL CALL

Council Members Present: Duhart, Spicer, Bowers, Darden, Sharif

Council Members Absent: None

REPORT OUT OF CLOSED SESSION

City Attorney Eric Perrodin reported that there was no action taken by the City Council during the closed session meeting.

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. ORAL PRESENTATION: FORMER COMPTON FIRE CHIEF: MONROE SMITH
- Carlton Mc Miller

Former City Attorney Legrand Clegg and **Carlton McMiller** honored the wonderful life and rich legacy of former Compton Fire Chief Monroe Smith and praised him for his leadership, wisdom and vision to enhance the Compton Fire Department and provide minorities in the City

with the opportunity to join the Department. Chief Smith was instrumental in upgrading and improving the Compton Fire Department and bringing distinction to the Department which became a showcase for the City of Compton and the State of California. A portrait of former Fire Chief Monroe Smith was unveiled and displayed to the community.

Ernest Mitchell, Jr., Federal Emergency Management Agency's U.S. Fire Administrator for the U.S. Fire Administration, commented on the success he has enjoyed as a result of the leadership and vision of Chief Monroe Smith.

The Mayor and City Council thanked Attorney Clegg, Carlton McMiller and Ernie Mitchell for their kind words and expressions of appreciation for legacy of Chief Monroe Smith.

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Ron Dowell, National Association of Equal Justice in America (NAEJA), stated that Compton continues to be at high risk for fraud and abuse. Mr. Dowell commented that the residents were informed that the Measure P funds would be used for street improvement and other infrastructure projects. He further commented that the residents must hold the City Council accountable for developing a strategy for achieving fiscal responsibility and further noted that the State Audit Report is essentially a roadmap to attain fiscal sustainability and responsibility in the short, and long term. Mr. Dowell offered several measures that the residents demand be addressed by the City Council, and further raised concerns regarding the inadequate law enforcement services provided by the Compton Sheriff's Department and submitted documentation relative to his comments.

Marcus Bias, owner of Let's Do It Sweeping Company, introduced himself and his business to the City of Compton and noted that the current street sweeping service is substandard and further offered his services to the City of Compton.

Bob Adams, Business Representative for AFSCME Local 2325, addressed the City Council regarding agenda item Number 12 (Measure to amend the City Charter) and stated that the promotional exams offer employee retention and upward mobility, and indicated that the Charter has a provision relative to open recruitment. Mr. Adams highlighted that the City has a duty to bargain with the Unions in good faith and follow the rules and guidelines set forth.

Luis Schmidt, Representative for AFSCME 2947 and SEIU 721, spoke relative to agenda item Number 12 (Measure to amend the City Charter) and indicated that the employees are the biggest asset to the City of Compton. Mr. Schmidt further commented that the employees have sheltered the burden of the City throughout the pandemic and continue to work diligently to provide the City and the community with dedicated service. Mr. Schmidt further stated that the City Manager is unresponsive to the Unions and their members and further requested that the City Council direct City Manager Thomas to follow the procedures and guidelines that have been established.

Paul Scott thanked Councilmember Darden for bringing the UniverSoul Circus to town. Firefighter Scott then commented that a 95-page report was delivered to the City regarding the deplorable condition of the fire stations which must be improved immediately. Firefighter Scott then urged the City Council to hire additional Firefighters, noting that the staffing levels are at a critical low in Compton.

Maria Villareal, Compton Latino Chamber of Commerce, spoke with the assistance of a translator and introduced the UniverSoul Circus as a new member to the Latino Chamber of Commerce. Ms. Villareal highlighted that the Circus is a wonderful, multicultural event which must be witnessed by the entire community.

S. Chandler, UniverSoul Circus, stated that the organization is extremely excited to be in the City of Compton, and highlighted that the UniverSoul Circus features entertainers from all over the world and further invited everyone to attend the event. Mr. Chandler noted that the goal of the UniverSoul Circus is to bring people together and bring joy, peace and love within the community.

David Irons discussed Resolution Number 20,986 and Compton City Charter Section 100. Mr. Irons indicated that the Resolution 20,986 designates the Compton Municipal Stadium and the Jackie Robinson Field as historical sites of great significance.

Charles Jackson, representing City Pride Magazine, raised concerns regarding the manner in which the City Council voted to approve the contract with Elevate Group. Mr. Jackson commented that the City is not receiving proper services from Elevate and further noted that City Pride has been enthusiastically working to improve and uplift the City of Compton and reporting on the positive events that have been taking place in the community. Mr. Jackson suggested that the City Council require Elevate to come to a meeting and informed the residents regarding what they are doing for the City of Compton.

Tulia Fricks commented that the City removed a Ficus tree from her yard in January of 2022 and the branches fell and damaged her sidewalk and also left a high tree stump behind which created an extreme hazard. Ms. Fricks urged the City to purchase a stump grinder to remove the tree stump as soon as possible.

Raul Segura submitted documents to the City Council and thanked the City leaders that have supported his family. He further requested that Betrina Warren be removed from the Personnel Board.

Jackie Venters stated that she has submitted information regarding the illegal marijuana dispensaries in Compton which must be eradicated. She then thanked Rita and Gary Belfry and *One Love In Compton* for bringing the UniverSoul Circus to Compton. Ms. Venters requested a town hall meeting to discuss strategies for improving the City.

Mr. Joey Davis Sr., father of Joey (Black Ice) Davis, who is the first wrestler in the history of NCAA Division II to end his entire career with zero defeats, commented that his son was promised the Key to the City. Mr. Davis highlighted that his son has a fight bout coming up soon and added that it would be beneficial for the youth of the community to see Joey Davis properly recognized for his excellence and for shining a positive light on the City of Compton.

Anthony Lewis addressed the Measure P Tax and commented that the Oversight Committee was set up to tell on City Management when they are not doing the right things for their Districts. Mr. Lewis then commented that the Measure P Tax Fund is to be used for street repair and address other issues and noted that the City Council has the ability to make amendments to the Measure P fund guidelines.

Marjorie Shipp suggested that the City Council consider local hiring recruitment for the benefit of the residents and further stated that Firefighting training should be provided at Compton Community College. Ms. Shipp also stated that she has been pleading with the City to clean up the lots at 115 E. Raymond and 116 E. Alondra Boulevard for years. Ms. Shipp further suggested that the Councilmembers take a ride throughout her neighborhood in Richland Farms to see all the various code violations that are being committed in the area.

Missy commented that residents have been paying for the pension of City employees since 1947 and asserted that this situation must change. Missy suggested that the City Council develop a strategy to require employees to be responsible for paying into their own personal retirement plan. Missy also commented that several non-profit organizations have taken over the Dollarhide Community Center which was constructed for the use of the Seniors of the community.

Lynn Boone raised concerns regarding agenda item Number 11 (Annual HUD Action Plan) and asserted that the item requires a public hearing. Ms. Boone spoke in opposition to agenda item Number 12 (Measure to amend the City Charter) and further stated that the residents were deceived regarding the Measure P Tax information that was presented.

Fidel Marquez stated that the entire City Council agenda resolutions pertain to amending the City's Budget and asserted that these items prove that the Council does not have the expertise to perform their duties. Mr. Marquez spoke in opposition to agenda item Number 12 and further noted that the City Council must stop deceiving the voters and make policies and change the wording of Measure P.

Jose Santos addressed the urgent need for street repairs and further asserted that there are no Hispanics on the City Council. Mr. Santos urged the Council to improve the City and preserve its rich heritage for the children of Compton.

Vanessa Cain alleged that the City Council has committed theft and fraud for many years, and further stated that the City once had a surplus of \$63 Million. Ms. Cane also stated that Raymond Street looks horrible and the City must be cleaned up and crime eradicated.

Mark Smith spoke in opposition to agenda item Number 12 (Measure to amend the City Charter) and indicated that the best resource the City has is the people of the community. Mr. Smith raised concerns regarding the Measure P Tax and asserted that this consists of taxation without representation. Mr. Smith stated that the City must be unified and improved and highlighted that there must be a vision plan for the youth of the community.

CONSENT AGENDA

APPROVAL OF MINUTES

2. February 7, 2023

It was moved by Duhart, seconded by Darden, the consent agenda was approved by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Bowers, Darden, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES AND CITY COUNCIL

3. APPOINTMENT(S) OF OFFICERS, COUNCIL MEMBERS, BOARDS/COMMISSIONS AND COMMITTEES

COMMISSION ON AGING - Mayor Sharif
BEAUTIFICATION COMMISSION - District 4 Councilmember Darden
FEDERAL GRANT ADVISORY BOARD - Mayor Sharif

Mayor Sharif nominated George Contreras to the Commission on Aging.

Councilmember Darden nominated Flora Eason to the Beautification Commission.

Councilmember Darden nominated Kenyal Ash to the Federal Grants Advisory Board.

Mayor Sharif nominated Rodney Lister to the Federal Grants Advisory Board.

Councilmember Bowers nominated Mildred Johnson to the Beautification Commission.

Councilmember Darden nominated Rosalind McGary to the Beautification Commission.

Councilmember Spicer offered a motion to approve the committee/commission appointments as indicated below:

Beautification Commission **Flora Eason, Mildred Johnson and Rosalind McGary**
Commission on Aging **George Contreras**
Federal Grants Advisory Board **Kenyal Ash and Rodney Lister**

The motion was seconded by Duhart, and the appointments were approved by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Bowers, Darden, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

CITY MANAGER'S REPORT

4. FIRE DEPARTMENT ASSESSMENT REPORT - Fire Chief Simpson

Fire Chief Ronerick Simpson provided a power point presentation and indicated that there was a problem with the water boiler at Fire Station Number 3. The damage was caused by hard water flowing through the pipes which corroded portions of the water pipes and other equipment and also caused flooding. Chief Simpson further reported that the water boiler has been repaired and the repair technician recommended that the station install a water filtration system or water softener to prevent this situation from re-occurring in the future. Chief Simpson also informed the Council that the Department has taken action to mitigate the non-toxic mold which resulted from the water damage.

5. A REQUEST TO SCHEDULE A PUBLIC HEARING: TO AMEND THE CITY OF COMPTON MASTER FEE SCHEDULE TO INCREASE USER FEE RATES BY THE CUMULATIVE COST-OF-LIVING ADJUSTMENT BASED ON THE CHANGE IN THE CONSUMER PRICE INDEX FOR April 11, 2023, at 5:45p.m.

On motion by Darden, seconded by Spicer, the public hearing was scheduled for **April 11, 2023, at 5:45 p.m.** by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Bowers, Darden, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

NEW BUSINESS

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2022-2023 FISCAL YEAR BUDGET TO MAKE A TRANSFER OF FUNDS AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR WILLDAN ENGINEERING FOR GRANT SUPPORT SERVICES AND CLOSEOUT OF NEIGHBORHOOD STABILIZATION PROGRAM 1 (NSP1) AND NEIGHBORHOOD STABILIZATION 3 (NSP3) IN THE AMOUNT OF \$76,000

On motion by Darden, seconded by Duhart, **Resolution Number 25,805** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2022-2023 FISCAL YEAR BUDGET TO MAKE A TRANSFER OF FUNDS AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR WILLDAN ENGINEERING FOR GRANT SUPPORT SERVICES AND CLOSEOUT OF NEIGHBORHOOD STABILIZATION PROGRAM 1 (NSP1) AND NEIGHBORHOOD STABILIZATION 3 (NSP3) IN THE AMOUNT OF \$76,000**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Sharif
NOES: Council Members – Bowers
ABSENT: Council Members – None

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ESTABLISH A SALARY INCREASE FOR THE SEASONAL, HOURLY, AND MISCELLANEOUS POSITION OF LIFEGUARD

On motion by Duhart, seconded by Spicer, **Resolution Number 25,806** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ESTABLISH A SALARY INCREASE FOR THE SEASONAL, HOURLY, AND MISCELLANEOUS POSITION OF LIFEGUARD**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Bowers, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH REVENUE & COST SPECIALISTS FOR THE PREPARATION OF A CITYWIDE COST ALLOCATION PLAN AND USER FEE STUDY FOR AN AMOUNT NOT TO EXCEED FORTY-EIGHT THOUSAND THREE-HUNDRED DOLLARS (\$48,300.00), TO AUTHORIZE A BUDGET AMENDMENT TO THE FY2022-2023 CITY BUDGET, AND TO AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF FORTY-EIGHT THOUSAND THREE-HUNDRED DOLLARS (\$48,300.00).

On motion by Duhart, seconded by Spicer, **Resolution Number 25,807** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH REVENUE & COST SPECIALISTS FOR THE PREPARATION OF A CITYWIDE COST ALLOCATION PLAN AND USER FEE STUDY FOR AN AMOUNT NOT TO EXCEED FORTY-EIGHT THOUSAND, THREE-HUNDRED DOLLARS (\$48,300.00), TO AUTHORIZE A BUDGET AMENDMENT TO THE FY2022-2023 CITY BUDGET, AND TO AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF FORTY-EIGHT THOUSAND THREE-HUNDRED DOLLARS**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Bowers, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2022-2023 FISCAL YEAR BUDGET TO TRANSFER FUNDS AND AUTHORIZING THE CITY MANAGER TO ESTABLISH A PURCHASE ORDER WITH 72 HOUR, LLC DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF ONE (1) NEW COMMAND VEHICLE FOR THE FIRE DEPARTMENT (\$221,706.90)

On motion by Duhart, seconded by Spicer, **Resolution Number 25,808** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2022-2023 FISCAL YEAR BUDGET TO TRANSFER FUNDS AND AUTHORIZING THE CITY MANAGER TO ESTABLISH A PURCHASE ORDER WITH 72 HOUR, LLC DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF ONE (1) NEW COMMAND VEHICLE FOR THE FIRE DEPARTMENT**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Sharif
NOES: Council Members – None
ABSENT: Council Members – None
ABSTAIN: Council Members – Bowers

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING MARCH 2023 AMERICAN RED CROSS AWARENESS MONTH

On motion by Duhart, seconded by Darden, **Resolution Number, 25,809** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING MARCH, 2023 AMERICAN RED CROSS AWARENESS MONTH**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Bowers, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING AND APPROVING THE SUBSTANTIAL AMENDMENT TO THE 2021 ANNUAL ACTION PLAN APPROVING THE HOME - AMERICAN RESCUE PLAN (HOME-ARP) ALLOCATION AND AUTHORIZING THE CITY MANAGER TO

SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (*Resolution removed from Council consideration*)

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THAT A MEASURE TO AMEND THE CITY OF COMPTON CHARTER IN CONNECTION WITH PRIORITIZING AN OPEN AND COMPETITIVE HIRING PROCESS FOR ALL POSITIONS BE SUBMITTED TO THE VOTERS OF THE CITY AT THE NEXT STATEWIDE GENERAL ELECTION AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE

On motion by Darden, seconded by Spicer, **Resolution Number 25,810** entitled ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THAT A MEASURE TO AMEND THE CITY OF COMPTON CHARTER IN CONNECTION WITH PRIORITIZING AN OPEN AND COMPETITIVE HIRING PROCESS FOR ALL POSITIONS BE SUBMITTED TO THE VOTERS OF THE CITY AT THE NEXT STATEWIDE GENERAL ELECTION AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE**’ was adopted by the following vote on roll call:

AYES: Council Members – Spicer, Darden, Sharif
NOES: Council Members – Duhart, Bowers
ABSENT: Council Members – None

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE COMMUNITY IMPROVEMENT SERVICES DEPARTMENT 2022-2023 FISCAL YEAR BUDGET TO DELETE TWO (2) ADMINISTRATIVE SPECIALISTS POSITIONS AND ONE (1) SECURITY SERVICES COORDINATOR POSITION AND ADD TWO (2) SECURITY SERVICES SUPERVISOR POSITIONS

On motion by Darden, seconded by Duhart, **Resolution Number 25,811** ‘**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE COMMUNITY IMPROVEMENT SERVICES DEPARTMENT 2022-2023 FISCAL YEAR BUDGET TO DELETE TWO (2) ADMINISTRATIVE SPECIALISTS POSITIONS AND ONE (1) SECURITY SERVICES COORDINATOR POSITION AND ADD TWO (2) SECURITY SERVICES SUPERVISOR POSITIONS**’ was adopted by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Bowers, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

COUNCIL COMMENTS

Councilmember Duhart offered the following communications/announcements:

- Commented on the wonderfully entertaining UniverSoul Circus which is performing in the big top at the Crystal Casino parking lot and encouraged the residents to attend this outstanding circus event
- Invited the residents to attend the Compton Farmer’s Market on April 1, 2023, beginning at 11:00 a.m. at the NHS Center for Sustainable Communities located at 1051 W. Rosecrans Avenue, Compton
- Requested that the City Manager provide a status report and schedule for the upcoming street rehabilitation project
- Encouraged the residents to participate in the free Household Hazardous and Electronic Waste Drive-thru Collection event on April 1, 2023, from 9:00 a.m. to 3:00 p.m. at Roosevelt Park Senior Center located at 7600 Graham Avenue, Los Angeles, California

Councilmember Spicer offered the following communications/announcements:

- Commented that the Gas Company performed drilling on Compton Blvd. and left several steel plates in the roadway
- Questioned whether the City has scheduled a date to auction for sale the surplus City vehicles
- Encouraged the residents to visit the Compton College Farmer's Market which takes place every Wednesday from 3:00 p.m. to 7:00 p.m. at 1111 E. Artesia Blvd., Compton

Councilmember Bowers offered the following communications/announcements:

- Expressed his condolences to the families and friends of the victims of the recent mass school shootings and further commented that Compton must be prepared to respond to emergencies by equipping all City facilities with Automated External Defibrillators (AEDs) and bleeding control kits
- Commended the Compton Sheriff's Department and the California Highway Patrol for their successful response to the recent illegal street takeovers
- Encouraged the community to participate in the Bright Lights of Compton event and suggested that residents visit the City's website: comptoncity.org or brightlightsofcompton.org to sign up as a volunteer to clean up and beautify Compton

Councilmember Darden offered the following communications/announcements:

- Commented that she was the guest Ring Master for the UniverSoul Circus at the Crystal Casino parking lot and further thanked *One Love In Compton*, Rita and Gary Belfry and Cedric Walker for their assistance with this wonderful, family-oriented event
- Invited the residents to visit the Compton College Farmer's Market which is held every Wednesday from 3:00 p.m. to 7:00 p.m. – rain or shine!
- Announced that the Bill Pickett Invitational Rodeo will be held on July 15 and 16, 2023 at the Industry Hills Expo Center located at 16200 Temple Avenue, Industry Hills, California

Mayor Sharif offered the following communications/announcements:

- Mayor Sharif thanked Rita and Gary Belfry, Councilmember Darden and everyone involved with bringing the wonderful UniverSoul Circus to the City of Compton.
- Mayor Sharif invited the community to attend the One Section at a Time Easter Egg Hunt, scheduled for April 8, 2023 from 11:00 a.m. to 2:00 p.m. at Burrell-MacDonald Park at 2516 W. Alondra Boulevard, Compton.
- Mayor Sharif invited the residents to participate in the Compton Dump Day on April 15, 2023 from 8:00 a.m. to 1:00 p.m. at 700 N. Bullis Road, Compton. Ms. Sharif further highlighted that she will be co-hosting this event with Assemblyman Mike Gipson and noted that Staff will be on site to accept household waste and approved debris at no charge. Seniors may schedule a free bulky pickup by calling: Shanice McKinley-Reed at: 310-605-5597 or emailing: smckinleyreed@comptoncity.org.
- Mayor Sharif invited the residents to participate in the 5th Annual Autism Awareness/Acceptance Walk sponsored by the Hub City Autism Network on April 15, 2023 beginning at 9:00 a.m. at the Compton Woodley Airport located at 801 W. Alondra, Compton. The purpose of this walk is to provide a platform for autism families and our community to come together in a friendly and social environment as we step together for autism awareness and acceptance.

ADJOURNMENT

On motion by Spicer, seconded by Duhart, the meeting was adjourned at 9:42 p.m. by the following vote on roll call:

AYES: Council Members – Duhart, Spicer, Darden, Bowers, Sharif
NOES: Council Members – None
ABSENT: Council Members – None

CITY CLERK OF THE CITY OF COMPTON

MAYOR OF THE CITY OF COMPTON

July 5, 2023

TO: MAYOR AND CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A FUNDS TRANSFER AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF COMPTON

SUMMARY

Adoption of this resolution will authorize the City Manager to enter into a Funds Transfer Agreement between the California Department of Transportation and the City of Compton.

BACKGROUND

The Artesia Boulevard Overhead (State Bridge No. 53C1744, LA County Bridge No. 2446) carries Artesia Boulevard over the Alameda Railroad Corridor, Alameda Street, and Compton Creek. The bridge was constructed in 1956, is approximately 100 feet wide, and includes 10 spans of varying length for a total bridge length of 718'-0". The bridge superstructure is comprised of steel girders with a cast-in-place concrete deck. As of the June 2019 Bridge Inspection Report, the bridge was flagged as Structurally Deficient with a Sufficiency Rating of 38.0 out of 100.

On December 18, 2020, fire damage was reported at Span 10, the easternmost span of the bridge. Subsequently, the bridge was closed to traffic and inspected by the Los Angeles County Public Works and the City of Compton Public Works staff. Steel girders exhibited significant distortion as a result of fire, and an April 2021 load analysis concluded that the structure's remaining strength is sufficient to carry only the structure's self-weight. Additional live loads (vehicular and pedestrian traffic) are prohibited on the bridge. Because most of the steel girder members were severely deformed and connections have been compromised, repairing the girders was not deemed feasible. The preferred repair solution was to replace Span 10.

In April 2021, City staff solicited a proposal from a qualified structural engineering firm and on December 21, 2021, City Council authorized the City Manager to enter into a Professional Services Agreement with Biggs Cardosa Associates, Inc. to develop options for the City to consider regarding the Artesia Bridge overcrossing.

Staff Report – Funds Transfer Agreement Between the California Department of Transportation and the City of Compton
Funds Transfer Agreement
July 5, 2023

On June 26, 2022, Biggs Cardosa Associates, Inc. submitted a proposal to City staff recommending the preferred repair option of replacing the Span 10 superstructure with rolled steel beams and subsequently to include a precast concrete security wall panel at an estimated cost of \$2,967,000. BCA submitted a proposal to provide preliminary engineering services which includes preparing bid documents for the repair work and to obtain the environmental clearance and permits necessary to hire a contractor to perform construction services on the Artesia Bridge

On July 27, 2022, the City submitted a funding request to reopen the Artesia Boulevard Bridge to the California State Senator and Assemblyman. On September 6, 2022, the Governor signed Assembly Bill 179 into law. This was the budget vehicle containing a \$12 million earmark for the Artesia Bridge earmarked for the City of Compton.

STATEMENT OF ISSUE

Section 19.56, subdivision (g)(1)(AQ) of the Budget Act of 2022 (the Act) appropriated \$12,000,000 from the State General Fund to Caltrans to be allocated to the City of Compton for the Artesia Boulevard Bridge repairs.

Caltrans determined the best method for allocation to ensure the funds are used for the purposes specified in Section 19.56 of the Act is a Funds Transfer Agreement.

A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

The Funds provided under this Agreement will be used to pay for design, construction management, and construction as well as direct and indirect costs related to the replacement of portions of the Artesia Bridge (Project). The Project will replace the existing, fire-damaged Span 10 portion of the Artesia Boulevard Bridge because of the severity of the fire damage to the steel girder members and their connections. A replacement in-kind concept with steel girders shall consist of replacing the existing damaged structure with similar components involving the use of a steel superstructure with rolled girders including a security wall installation on the north and south sides of the bridge. Deliverables, acceptance criteria for deliverables include certain documentation (e.g. engineering plans, completed environmental document, copies of construction contracts, etc). The project is expected to take approximately 180 working days.

Staff Report – Funds Transfer Agreement Between the California Department of Transportation and the City of Compton
Funds Transfer Agreement
July 5, 2023

Therefore, in order to authorize the City Manager to enter a Fund Transfer Agreement between the California Department of Transportation and the City of Compton, City Council's authorization is necessary.

ALTERNATIVE

There are no other alternatives being recommended at this time. The closure of the Artesia Bridge has not only caused major disruptions to the transportation network, but has resulted in negative impacts to residents, local businesses, the economy, and the environment.

FISCAL IMPACT

The City of Compton shall only use Funds for the Project specified in the Act. City of Compton's self- attestation verifying the intended use of funds shall be provided to the Department prior to the release of any funds.

The Funds will be encumbered within 2 days of the effective date of this Agreement. Pursuant to Section 19.56 of the Act, funds must be encumbered by June 30, 2024, and expended by June 30, 2026, or the funds will revert to the State's General Fund by operation of law.

Funds in the amount of \$12,000,000 are to deposited into a separate account for the Artesia Bridge Project for audit purposes.

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution.

JOHN D. STRICKLAND, JR., PROJECT MANAGER
PUBLIC WORKS ENGINEERING DEPARTMENT

APPROVED FOR FORWARDING:

THOMAS THOMAS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A FUNDS TRANSFER
AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
AND THE CITY OF COMPTON**

WHEREAS, adoption of this resolution will authorize the City Manager to enter into a Funds Transfer Agreement between the California Department of Transportation and the City of Compton for the repair of the Artesia Bridge; and

WHEREAS, the Artesia Boulevard Overhead (State Bridge No. 53C1744, LA County Bridge No. 2446) carries Artesia Boulevard over the Alameda Railroad Corridor, Alameda Street, and Compton Creek; and

WHEREAS, the bridge was constructed in 1956, is approximately 100 feet wide, and includes 10 spans of varying length for a total bridge length of 718'-0" and the bridge superstructure is comprised of steel girders with a cast-in-place concrete deck; and

WHEREAS, as of the June 2019 Bridge Inspection Report, the bridge was flagged as Structurally Deficient with a Sufficiency Rating of 38.0 out of 100; and

WHEREAS, on December 18, 2020, fire damage was reported at Span 10, the easternmost span of the bridge and subsequently, the bridge was closed to traffic and inspected by the Los Angeles County Public Works and the City of Compton Public Works staff; and

WHEREAS, steel girders exhibited significant distortion as a result of fire, and an April 2021 load analysis concluded that the structure's remaining strength is sufficient to carry only the structure's self-weight; and

WHEREAS, additional live loads (vehicular and pedestrian traffic) are prohibited on the bridge and because most of the steel girder members are severely deformed and connections have been compromised, repairing the girders was not deemed feasible and the preferred repair solution is to replace Span 10; and

WHEREAS, in April 2021, City staff solicited a proposal from a qualified structural engineering firm and on December 21, 2021, City Council authorized the City Manager to enter into a Professional Services Agreement with Biggs Cardosa Associates, Inc. to develop options for the City to consider regarding the Artesia Bridge overcrossing; and

WHEREAS, on June 26, 2022, Biggs Cardosa Associates, Inc. submitted a proposal to City staff recommending the preferred repair option of replacing the Span 10 superstructure with rolled steel beams and subsequently to include a precast concrete security wall panel at an estimated cost of \$2,967,000; and

WHEREAS, BCA submitted a proposal to provide preliminary engineering services which includes preparing bid documents for the repair work and to obtain the environmental clearance and permits necessary to hire a contractor to perform construction services on the Artesia Bridge; and

WHEREAS, on July 27, 2022, the City submitted a funding request to reopen the Artesia Boulevard Bridge to the California State Senator and Assemblyman and on September 6, 2022, the Governor signed Assembly Bill 179 into law; and

WHEREAS, this was the budget vehicle containing a \$12 million earmark for the Artesia Bridge earmarked for the City of Compton; and

WHEREAS, Section 19.56, subdivision (g)(1)(AQ) of the Budget Act of 2022 (the Act) appropriated \$12,000,000 from the State General Fund to Caltrans, to be allocated to the City of Compton for the Artesia Boulevard Bridge repair project; and

WHEREAS, Caltrans determined the best method for allocation to ensure the funds are used for the purposes specified in Section 19.56 of the Act is a Funds Transfer Agreement; and

WHEREAS, a county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement; and

WHEREAS, funds provided under this Agreement will be used to pay for design, construction management, and construction as well as direct and indirect costs related to the replacement of portions of the Artesia Bridge (Project).

WHEREAS, the Project will replace the existing, fire-damaged Span 10 portion of the Artesia Boulevard Bridge because of the severity of the fire damage to the steel girder members and their connections; and

WHEREAS, a replacement in-kind concept with steel girders shall consist of replacing the existing damaged structure with similar components involving the use of a steel superstructure with rolled girders including a security wall installation on the north and south sides of the bridge and deliverables, acceptance criteria for deliverables include certain documentation (e.g. engineering plans, completed environmental document, copies of construction contracts, etc) and the project is expected to take approximately 180 working days; and

WHEREAS, the City of Compton shall only use Funds for the Project specified in the Act and the City of Compton's self- attestation verifying the intended use of funds shall be provided to the Department prior to the release of any funds; and

WHEREAS, the funds will be encumbered within 2 days of the effective date of this Agreement and pursuant to Section 19.56 of the Act, funds must be encumbered by June 30, 2024, and expended by June 30, 2026, or the funds will revert to the State's General Fund by operation of law; and

WHEREAS, funds in the amount of \$12,000,000 are to be deposited into a separate account for the Artesia Bridge Project for audit purposes; and

WHEREAS, in order to authorize the City Manager to enter a Fund Transfer Agreement between the California Department of Transportation and the City of Compton, City Council's authorization is necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the City Manager, upon the advice of the City Attorney, is hereby authorized to enter into a Funds Transfer Agreement between the California Department of Transportation and the City of Compton for the repair of the Artesia Bridge.

Section 2. That the City of Compton designates the City Manager as the person authorized to execute all agreements and any amendments thereto with the California Department of Transportation.

Section 3. That funds in the amount of \$12,000,000 will be allocated in a separate account dedicated to the Artesia Bridge Project.

Section 4. That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney, and Public Works Engineering Department.

Section 5. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2023.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

I, Vernell McDaniel, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held this _____ day of _____, 2023.

That said Resolution was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –

CITY CLERK OF THE CITY OF COMPTON

Funds Transfer Agreement Between the California Department of Transportation and the City of Compton

- 1.1 The California Department of Transportation (Caltrans) and the City of Compton (Compton) hereby enter into this Funds Transfer Agreement (Agreement) on the terms and conditions set forth below.
- 1.2 This Agreement is not valid until signed by both parties. This Agreement shall expire on Compton's completion of its obligations under this Agreement, but may be extended by amending this Agreement.

BACKGROUND

- 2.1 Section 19.56, subdivision (g)(1)(AQ) of the Budget Act of 2022 (the Act) appropriated \$12,000,000 from the State General Fund to Caltrans, to be allocated to the City of Compton for the Artesia Boulevard Bridge.
- 2.2 Caltrans determined the best method for allocation to ensure the funds are used for the purposes specified in Section 19.56 of the Act is a funds transfer agreement.
- 2.3 Project Need and Goal

The Artesia Boulevard Overhead (State Bridge No. 53C1744, LA County Bridge No. 2446) carries Artesia Boulevard over the Alameda Railroad Corridor, Alameda Street, and Compton Creek. The bridge was constructed in 1956, is approximately 100 feet wide, and includes 10 spans of varying length for a total bridge length of 718'-0". The bridge superstructure is comprised of steel girders with a cast-in-place concrete deck. As of June 2019 Bridge Inspection Report, the bridge was flagged as Structurally Deficient with a Sufficiency Rating of 38.0 out of 100.

On December 18, 2020, fire damage was reported at Span 10, the easternmost span of the bridge. Subsequently, the bridge was closed to traffic and inspected by the Los Angeles County Public Works and the City of Compton Public Works staff. Steel girders exhibited significant distortion as a result of fire, and an April 2021 load analysis concluded that the structure's remaining strength is sufficient to carry only the structure's self-weight. Additional live loads (vehicular and pedestrian traffic) are prohibited on the bridge. Because most of the steel girder members are severely deformed and connections have been comprised, repairing the girders is not deemed feasible. The preferred repair solution is to replace Span 10.

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

SCOPE OF WORK

3.1 The Funds provided under this Agreement will be used to pay for design, construction management, and construction as well as direct and indirect costs related to the replacement of portions of the Artesia Bridge (Project). The Project will replace the existing, fire-damaged Span 10 portion of the Artesia Boulevard Bridge because of the severity of the fire damage to the steel girder members and their connections. A replacement in-kind concept with steel girders shall consist of replacing the existing damaged structure with similar components involving the use of a steel superstructure with rolled girders including a security wall installation on the north and south sides of the bridge.

3.2 The City of Compton shall only use Funds for the Project specified in the Act. City of Compton's self- attestation verifying the intended use of funds shall be provided to the Department prior to the release of any funds.

FUNDING, COSTS, COST LIMITATION, & PAYMENT

4.1 The Funds will be encumbered within 2 days of the effective date of this Agreement. Pursuant to Section 19.56 of the Act, funds must be encumbered by June 30, 2024, and expended by June 30, 2026, or the funds will revert to the State's General Fund by operation of law.

4.2 Payments shall be made as authorized by Sections 19.56(a) of the Act, including, but not limited to the provisions noted below:

- a. Notwithstanding any other law, a designated state entity administering an allocation pursuant to this section may provide the allocation as an advance lump sum payment, and the allocation may be used to pay for costs incurred prior to the effective date of the act adding this paragraph.
- b. Funding provided in this section shall not be used for a purpose subject to Section 8 of the Article XVI of California Constitution.

4.3 Within 30 days of expending all of the Funds or upon completion or termination of Project, whichever comes first, the City of Compton shall submit to Caltrans a Project Closeout Report. The Project Closeout Report at a minimum shall include a description of completed Project component(s) and a description of Project outcomes. Photographs of the Project are encouraged to be included.

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

4.4 Any Project costs paid using the Funds that are determined by subsequent audit to be unallowable under 48 CFR, Part 31 or 2 CFR, Part 200, are subject to repayment by the City of Compton to Caltrans.

4.5 The City of Compton shall return any unspent Funds to Caltrans at the conclusion, completion, or termination of the Project.

4.6 Upon written demand by STATE, any overpayment to the City of Compton of amounts invoiced to CALTRANS shall be returned to STATE.

4.7 Should the City of Compton fail to refund any moneys due CALTRANS as provided herein or should the City of Compton breach this AGREEMENT by failing to complete Project without adequate justification and approval by STATE, then, within thirty (30) days of demand, or within such other period as may be agreed to in writing between the PARTIES, STATE, acting through the State Controller, the State Treasurer, the CTC or any other public entity or agency, may intercept, withhold and demand the transfer of an amount equal to the amounts paid by or owed to CALTRANS for each Project, from future apportionments or any other funds due Compton from the Highway Users Tax Fund or any other sources of funds, and/or may also withhold approval of future STATE-FUNDED projects proposed by ADMINISTERING AGENCY.

INQUIRIES & NOTICES

5.1 All inquiries during the term of this Agreement will be directed to the representatives listed below:

For Caltrans:

Name: Hamid Aghasharif

Address: 100 South Main Street

Los Angeles, CA 90012

Phone Number: 213-266-3602

Email: hamid.aghasharif@dot.ca.gov

For the City of Compton:

John D. Strickland, Jr.

205 South Willowbrook Avenue

Compton, CA 90220

310-761-1422

jstrickland@comptoncity.org

5.2 Each party may change their representative listed above upon 10 calendar days' written or emailed notice to the other party and without the need for amending this Agreement.

OTHER TERMS & CONDITIONS

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

6.1 Drug-Free Workplace Requirements: The City of Compton will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
- b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs; and,
 - 4) penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee who works on the proposed Agreement will:
 - 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and the City of Compton may be ineligible for award of any future State agreements if Caltrans or the State Department of General Services determines that any of the following has occurred: The City of Compton has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

6.2 Conflict of Interest: The City of Compton needs to be aware of the following provisions regarding current or former state employees. If The City of Compton has any questions on the status of any person rendering services or involved with the Agreement, Caltrans must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

- 1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

- 1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- 2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If the City of Compton violates any provisions of above paragraphs, such action by the City of Compton shall render this Agreement void. (Pub. Contract Code § 10420.) If the Agreement is rendered void, the City of Compton shall return all Funds.

6.3 Labor Code/Workers' Compensation: The City of Compton needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and the City of Compton affirms to comply with such provisions before commencing the performance of the work described in this Agreement. (Labor Code § 3700.)

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

6.4. Americans With Disabilities Act: The City of Compton assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. § 12101 et seq.)

6.5. The City of Compton Name Change: An amendment is required to change the City of Compton's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

6.6. Resolution: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

6.7. Air or Water Pollution Violation: Under State law, the City of Compton shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

6.8. Audit: The City of Compton agrees that Caltrans, the California Department of General Services, the California State Auditor's Office, or other State agency with a legitimate business purpose, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The City of Compton agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of record retention is stipulated.

6.9. Amendments: No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties. Any amendment signed by the City of Compton must be approved by its Board of Directors as evidenced by a resolution, order, motion, or ordinance of the City of Compton and a copy provided to Caltrans. No oral understanding or agreement not incorporated in the Agreement is binding on any of the parties.

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

6.10. Caltrans and the City of Compton shall continue with their responsibilities under this Agreement during any dispute.

6.11 This Agreement may be executed in separate counterparts.

6.12 An electronically signed copy of this Agreement shall have the same force and effect as if it were signed manually.

6.13 Should the City of Compton be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if the City of Compton is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, CALTRANS is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV – 21, from those constituent entities comprising a joint powers authority or by bringing of an action against the City of Compton or its constituent member entities, to recover all funds provided by CALTRANS hereunder.

Funds Transfer Agreement Between the California Department of Transportation
and the City of Compton

State:

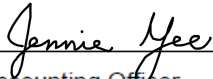
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
Printed Name: Jeanie Ward-Waller
Signature: _____
Deputy Director for Planning & Modal
Programs
Date: _____

Local Agency:

The City of Compton
Printed Name: _____
Signature: _____
Title: _____
Date: _____

Accounting Certification

For Caltrans Use Only

I hereby Certify upon my own personal knowledge that budgeted funds are available for encumbrance.			
Jennie Yee		5/25/2023	\$12,000,000.00
Accounting Officer Printed Name	Accounting Officer Signature	Date	Amount Certified

July 5, 2023

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: MUNICIPAL WATER DEPARTMENT

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD) TO PURCHASE IMPORTED WATER FOR FISCAL YEAR 2023-2024 FOR EIGHT HUNDRED THOUSAND DOLLARS (\$800,000)

SUMMARY

Adoption of this resolution authorizes the City Manager to issue a purchase order to Metropolitan Water District of Southern California (MWD) in the amount of \$800,000 to pay for capacity charges, readiness to serve charges, and to purchase imported water for Fiscal Year 2023-2024.

BACKGROUND

The Compton Municipal Water Department (Department) provides for the City's water demands through two (2) sources; groundwater pumping wells and imported water from the Metropolitan Water District of Southern California (MWD).

STATEMENT OF THE ISSUE

The Department delivers a total annual demand of approximately 7,200 acre-feet of water. This is provided through groundwater pumping rights of 5,780 acre-feet of water (75%) and MWD imported water purchases of approximately 1,420 acre-feet.

The Department produces groundwater through its water rights from City water wells, augmented with additional, leased-in groundwater rights from other entities, and combines this with imported water purchased from MWD to meet the total water demand.

The Department has leased additional water rights for the upcoming Fiscal Year 2023-2024, but must ensure that imported water is made available. The City must pay for services as needed to meet all its anticipated demands, therefore, the Department anticipates purchasing 300 acre-feet of imported water from MWD for the Fiscal Year 2023-2024 to meet its annual demands.

ALTERNATIVE

There are no alternatives. The City is one of the original thirteen-member agencies of MWD and has been a member since 1931. This purchase is to ensure there are adequate water supplies to meet our total water demand and fulfill our obligation as a member agency.

FINANCIAL IMPACT

The estimated annual cost for purchasing imported water is approximately Eight Hundred Thousand Dollars (\$800,000.00) for Fiscal Year 2023-2024.

Funds will be allocated in the Fiscal Year 2023-2024 budget and will be allocated annually during the budget development process in the Department's Water Purchase Fund.

Account No.	Account Description	Amount
5000-850-000-4252	Water Purchase-MWD	\$800,000.00

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution.

VICTOR MEZA
WATER DEPARTMENT GENERAL MANAGER

APPROVED FOR FORWARDING:

THOMAS THOMAS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER
TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN
CALIFORNIA (MWD) TO PURCHASE IMPORTED WATER FOR FISCAL
YEAR 2023-2024 FOR EIGHT HUNDRED THOUSAND DOLLARS
(\$800,000)**

WHEREAS, the goals and objectives of the Compton Municipal Water Department (Department) includes maintaining the City's water infrastructure and providing top tier water service to its customers and in doing so must purchase imported water and water rights; and

WHEREAS, the purchase of water from the Metropolitan Water District of Southern California (MWD) will assist the Department in the fulfillment of its goals and objectives; and

WHEREAS, the Department anticipates purchasing 300 acre-feet of imported water for its customers from the MWD for Fiscal Year 2023-2024; and

WHEREAS, the Department delivers a total annual demand of approximately 7,200 acre-feet of water which is provided partly through groundwater pumping rights of 5,780 acre-feet of water (75%) and MWD imported water purchases of approximately 1,420 acre-feet; and

WHEREAS, despite acquiring additional groundwater rights through lease agreements, the City needs to insure it has sufficient rights to meet all its anticipated demands; therefore, it is estimated that the cost for Fiscal Year 2023-2024 will be Eight Hundred Thousand Dollars (\$800,000); and

WHEREAS, funds will be allocated in the Department's Fiscal Year 2023-2024 budget in Account No. 5000-850-000-4252.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES
HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. That the City Manager is hereby authorized to issue a purchase order to the Metropolitan Water District of Southern California (MWD) in the amount of Eight Hundred Thousand Dollars (\$800,000.00).

SECTION 2. That funds in the amount of \$800,000.00 will be allocated in the Fiscal Year 2023-2024 Budget in the Water Purchase Fund and increase expenditures in Account No. 5000-850-000-4252 (Water Purchases) by \$800,000.00 for this expenditure on an annual basis.

SECTION 3. That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and the Compton Municipal Water Department.

SECTION 4. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2023.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

I, Vernell McDaniel, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2023.

That said Resolution was adopted by the following vote:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAINS: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

July 5, 2023

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: MUNICIPAL WATER DEPARTMENT

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA (WRD) FOR GROUNDWATER PRODUCTION ASSESSMENT FEES FOR FISCAL YEAR 2023-2024 FOR FIVE MILLION DOLLARS (\$5,000,000)

SUMMARY

Adoption of this resolution authorizes the City Manager to issue a purchase order to the Water Replenishment District of Southern California (WRD) in the amount of \$5,000,000.00 for Groundwater Replenishment Assessment Fees for Fiscal Year 2023-2024.

BACKGROUND

The Compton Municipal Water Department (Department) provides for the City's water demands through two (2) sources: groundwater production and water purchased from the Metropolitan Water District of Southern California (MWD).

WRD is the groundwater management agency responsible for safe and reliable groundwater in the Central Basin and West Coast Basin in southern coastal Los Angeles County as is committed to provide, protect and preserve safe and sustainable groundwater. Compton is one of the cities that WRD serves.

The Department delivers a total of approximately 8,000 acre-feet of water on an annual basis. Water delivery is provided through City groundwater pumping rights (5,780 acre-feet) and a combination of lease-in groundwater pumping rights and MWD imported water (as needed) to make up the 2,220 acre-feet needed for the total delivery amount. Pumping water from the underground basin assists the Department in the fulfillment of its goals and objectives. The Department acquires pumping rights from WRD on an annual basis.

STATEMENT OF THE ISSUE

The groundwater basin is managed by the WRD. WRD purchases imported and highly-treated recycled water, and adds this to captured storm water to recharge the

groundwater supply. WRD manages the groundwater basin and insures that the groundwater supply is properly recharged back into the basin. Groundwater pumped by municipal water utilities, water companies and others are imposed a Replenishment Assessment Fee (RA) by WRD for basin recharge purposes. The funds generated from the RA cover the cost of water purchased to replenish the two largest and most utilized groundwater basins in Southern California.

ALTERNATIVES

Staff does not recommend any alternatives.

FINANCIAL IMPACT

The estimated annual cost for the Replenishment Assessment Fee is approximately Four Million Dollars (\$4,000,000.00) for Fiscal Year 2023-2024. The additional amount of One Million Dollars (\$1,000,000.00) is to cover the remainder of Fiscal Year 2022-2023 for March 2023 – June 2023.

Funds will be allocated annually during the budget development process in the Department's Water Purchase Fund.

Account No.	Account Description	Amount
5000-850-000-4251	Water Purchase-WRD	\$5,000,000.00

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

VICTOR MEZA
WATER DEPARTMENT GENERAL MANAGER

APPROVED FOR FORWARDING:

THOMAS THOMAS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO
THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
(WRD) FOR GROUNDWATER PRODUCTION ASSESSMENT FEES FOR
FISCAL YEAR 2023-2024 FOR FIVE MILLION DOLLARS (\$5,000,000.00)**

WHEREAS, the Compton Municipal Water Department (Department) provides for the City's water demands through two (2) sources: groundwater production and water purchased from the Metropolitan Water District of Southern California (MWD); and

WHEREAS, the Department delivers a total of approximately 8,000 acre-feet of water on an annual basis; water delivery is provided through City groundwater pumping rights (5,780 acre-feet) and a combination of lease-in groundwater pumping rights and MWD imported water (as needed) to make up the 2,220 acre-feet needed for the total delivery amount; and

WHEREAS, pumping water from the underground basin assists the Department in the fulfillment of its goals and objectives; and

WHEREAS, the groundwater basin is managed by the Water Replenishment District of Southern California (WRD) which purchases imported and highly-treated recycled water, and adds this to captured storm water to recharge the groundwater supply; and

WHEREAS, groundwater pumped by municipal water utilities, water companies and others are imposed a Replenishment Assessment fee (RA) by WRD for basin recharge purposes. The funds generated from the RA cover the cost of water purchased to replenish the two largest and most utilized groundwater basins in Southern California; and

WHEREAS, it is estimated that the assessment fees for pumping groundwater is Four Million Dollars (\$4,000,000.00) for Fiscal Year 2023-2024. The additional amount of One Million Dollars (\$1,000,000.00) is to cover the remainder of Fiscal Year 2022-2023 for March 2023 – June 2023; and

WHEREAS, funds for this expenditure are available in the Fiscal Year 2023-2024 Budget.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES
HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. That the City Manager is hereby authorized to issue a purchase order to Water Replenishment District of Southern California (WRD) in the amount of Five Million Dollars (\$5,000,000.00).

SECTION 2. That \$5,000,000.00 be allocated during the budget development process in the Water Purchase Fund, and increase expenditures in Account No. 5000-850-000-4251 (Water Purchases) by \$5,000,000.00 for this expenditure on an annual basis.

SECTION 3. That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and the Compton Municipal Water Department.

SECTION 4. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2023.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

I, Vernell McDaniel, City Clerk of the City of Compton, hereby certify that the forgoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2023.

That said Resolution was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON